

SENATE BILL No. 281

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-30-1-4.

Synopsis: Juvenile court jurisdiction. Provides that a juvenile court does not have jurisdiction over an individual who is alleged to have committed any offense that may be tried in a court with adult criminal jurisdiction if the individual has ever entered a plea of guilty to or been convicted of: (1) murder; (2) kidnapping; (3) rape; (4) criminal deviate conduct; (5) robbery, if the robbery was committed while armed with a deadly weapon or resulted in bodily injury or serious bodily injury; (6) carjacking; (7) criminal gang activity; (8) criminal gang intimidation; (9) carrying a handgun without a license; (10) children and firearms offenses; (11) dealing in a sawed-off shotgun; or (12) dealing in cocaine or a narcotic drug or a schedule I, II, III, or IV controlled substance.

Effective: July 1, 1999.

Washington

January 7, 1999, read first time and referred to Committee on Judiciary.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 281

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-30-1-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) The juvenile
3 court does not have jurisdiction over an individual for an alleged
4 violation of:

- 5 (1) IC 35-42-1-1 (murder);
- 6 (2) IC 35-42-3-2 (kidnapping);
- 7 (3) IC 35-42-4-1 (rape);
- 8 (4) IC 35-42-4-2 (criminal deviate conduct);
- 9 (5) IC 35-42-5-1 (robbery) if:
 - 10 (A) the robbery was committed while armed with a deadly
 - 11 weapon; or
 - 12 (B) the robbery results in bodily injury or serious bodily
 - 13 injury;
- 14 (6) IC 35-42-5-2 (carjacking);
- 15 (7) IC 35-45-9-3 (criminal gang activity);
- 16 (8) IC 35-45-9-4 (criminal gang intimidation);
- 17 (9) IC 35-47-2-1 (carrying a handgun without a license);

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- (10) IC 35-47-10 (children and firearms);
- (11) IC 35-47-5-4.1 (dealing in a sawed-off shotgun);
- (12) IC 35-48-4-1 (dealing in cocaine or a narcotic drug);
- (13) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled substance);
- (14) IC 35-48-4-3 (dealing in a schedule IV controlled substance);
- or
- (15) any offense that may be joined under IC 35-34-1-9(a)(2) with any crime listed in subdivisions (1) through (14);

if the individual was at least sixteen (16) years of age at the time of the alleged violation.

(b) Once an individual described in subsection (a) has been charged with any crime listed in subsection (a)(1) through (a)(15), the court having adult criminal jurisdiction shall retain jurisdiction over the case even if the individual pleads guilty to or is convicted of a lesser included offense. A plea of guilty to or a conviction of a lesser included offense does not vest jurisdiction in the juvenile court.

(c) The juvenile court does not have jurisdiction over an individual who is alleged to have committed any offense that may be tried in a court with adult criminal jurisdiction if the individual has ever:

- (1) entered a plea of guilty to; or**
- (2) been convicted of;**
- a crime listed in subsection (a).**

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